

**AGENDA
ZONING COMMITTEE
OF THE SAINT PAUL PLANNING COMMISSION
Thursday, February 11, 2010 3:30 P.M.
City Council Chambers
Third Floor City Hall - Saint Paul, Minnesota**

NOTE: The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

APPROVAL OF JANUARY 28, 2010 ZONING COMMITTEE MINUTES

SITE PLAN REVIEW – List of current applications (Tom Beach, 651-266-9086)

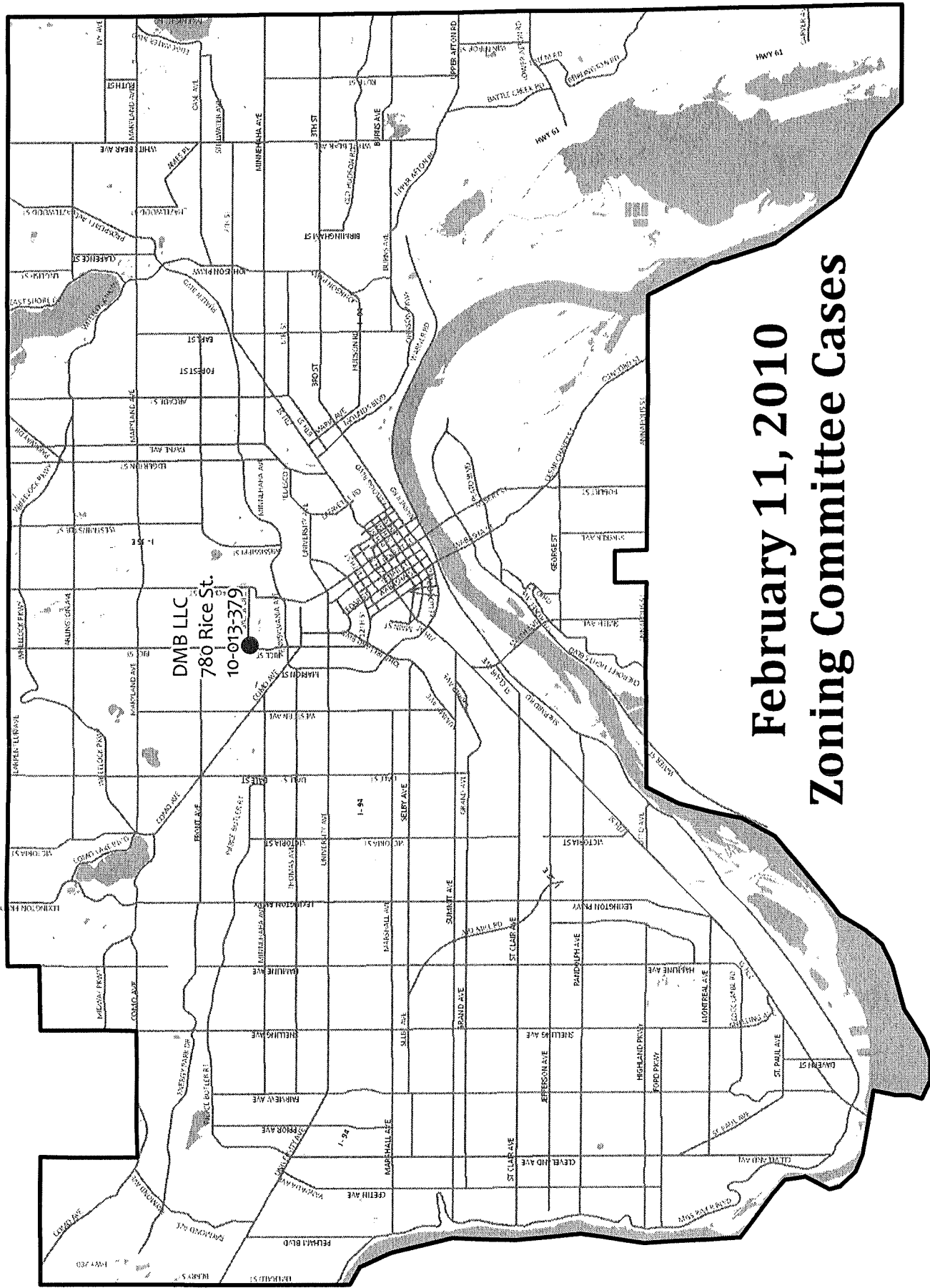
NEW BUSINESS

- 1 10-013-379 DMB LLC**
Rezoning from B3 General Business to I1 Industrial
780 Rice St, SE corner at Sycamore
B3
Patricia James 651-266-6639

ADJOURNMENT

ZONING COMMITTEE MEMBERS: Call Allan Torstenson at 266-6579 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

APPLICANT: You or your designated representative must attend this meeting to answer any questions that the committee may have.



February 11, 2010 Zoning Committee Cases

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** DMB LLC **FILE #:** 10-013-379
 2. **APPLICANT:** DMB LLC **HEARING DATE:** February 11, 2010
 3. **TYPE OF APPLICATION:** Rezoning-Council
 4. **LOCATION:** 780 Rice St, SE corner at Sycamore
 5. **PIN & LEGAL DESCRIPTION:** 302922330130, GREENS ADDITION TO THE CITY OF ST. PAUL LOTS 2 THRU LOT 5 BLK 1; and a portion of 302922330241, GREENS ADDITION TO THE CITY OF ST. PAUL W 25 FT OF LOTS 16,17,18,19,20 & 21 & ALL OF LOTS 6 & LOT 7 BLK 1
 6. **PLANNING DISTRICT:** 6 **EXISTING ZONING:** B3
 7. **ZONING CODE REFERENCE:** § 66.512, § 66.521; §61.801(b)
 8. **STAFF REPORT DATE:** February 3, 2010 **BY:** Patricia James
 9. **DATE RECEIVED:** January 25, 2010 **60-DAY DEADLINE FOR ACTION:** March 26, 2010
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- A. **PURPOSE:** Rezoning from B3 General Business to I1 Industrial.
- B. **PARCEL SIZE:** 100 ft. (Rice St.) x 100 ft. (Sycamore) plus 25 ft. for driveway = 12,500 sq. ft.
- C. **EXISTING LAND USE:** Vacant Dairy Queen restaurant; driveway access for Ace Auto Parts
- D. **SURROUNDING LAND USE:**
 - North: Vacant (TN2), with residential uses to the northeast (RT1)
 - East: Industrial/manufacturing uses (I1)
 - South: Industrial uses, auto parts and salvage – Ace Auto Parts (I1)
 - West: Industrial uses; warehousing; auto repair (I2)
- E. **ZONING CODE CITATION:** § 66.512 identifies the intent of the I1 district, § 66.521 lists the uses permitted in the I1 district; §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** In 1953 a permit was approved for “Drive-in Refreshment” at this location (File # 2761). There is no other zoning history for the 780 Rice property (Dairy Queen site). The property has been purchased by the applicant, DMB, LLC, who also owns the motor vehicle salvage business to the south.

In 2005 a site plan and nonconforming use permit were approved for the motor vehicle salvage business, Ace Auto Parts (Z.F. #s 05-138612 and 05-141662). These approvals allowed reconstruction and enlargement of the retail portion of the business after the previous building was damaged by fire. The reconstruction also included expansion of the business onto the adjacent parcel to its north. This parcel, formerly owned by Twin Cities Roofing, wraps around the southern and eastern sides of the Dairy Queen parcel. This parcel has split zoning: the portion of the parcel south of the Dairy Queen site is zoned I1, while the portion to the east is zoned B3. This B3 portion is used for access to the motor vehicle salvage business and is legally nonconforming.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 6 had not provided a recommendation by the time the staff report was prepared.
- H. **FINDINGS:**
 1. The applicant seeks to rezone the parcel formerly occupied by a Dairy Queen restaurant from B3 to I1. The applicant states that the purpose of the rezoning is to provide additional parking for the adjacent auto salvage business. In addition, the access drive from Sycamore Street to the auto parts business is also located in the B3 district, and the rezoning of this portion of the property to I1 is also being requested.

Recent discussions between the applicant and staff in the Department of Safety and Inspections clarified that the applicant could not display cars for sale or use the Dairy Queen site for off-

street parking for the motor vehicle salvage business because the zoning code, in Sec. 63.304(b), specifies that parking must be located in the same or a less restrictive district. The Dairy Queen site is in a more restrictive zoning district (B3).

2. The proposed zoning is consistent with the way this area has developed. Sycamore Street in this location acts as a boundary between the predominantly industrial uses on the south side and the residential and planned pedestrian-oriented redevelopment on the north side. The properties proposed for rezoning to I1 are the only ones on the south side of Sycamore that do not have I1 zoning.
3. The proposed zoning is, on balance, consistent with the Comprehensive Plan. The current **Comprehensive Plan Summary and General Policy** document establishes as a general goal: *To ensure a welcoming and supportive environment in the city for new and existing businesses.* Rezoning the property would support an existing business. The **Land Use Plan** identifies this area as part of the Great Northern Corridor, with a goal of providing household-supporting jobs (Objective 6.6). Further, Policy 6.6.1 states: *The City and the Port Authority should support and work to implement the Great Northern Corridor Community Vision of 1997 and should support further redevelopment planning for more sites along the corridor....* In the City's revision of the Comprehensive Plan, which has now been approved by the Metropolitan Council and is awaiting final adoption by the City Council, the **Land Use** Chapter identifies this area as an "Opportunity Site" on Figure LU-B. Policy 1.54 states: *Identify opportunity sites for future development...either as mixed-use development or as employment centers....* The **North End-South Como Plan Summary**, adopted by the City Council in 2005, recommends that industrial uses *...be consolidated over time, and appropriately buffered, in the Great Northern Corridor and the Jackson-Arlington Industrial Park. Phased out would be industrial uses in the lower Trout Brook corridor and the marginal auto-related uses south of Oakland Cemetery (east of Rice Street).* The adopted **Rice Street Small Area Plan Summary** (2005) policy 4 states: *The Plan does not recommend additional industrial land uses on Rice Street. Due to their unique geography, lack of visibility and limited access, areas near the railroad tracks are appropriate for existing industrial uses to remain.*

The area proposed for rezoning is within the Great Northern Corridor, and, while located on Rice Street, would be much more easily redeveloped if the zoning were consistent with adjoining properties so it could become part of a larger site. In addition, consolidating the split-zoned parcel into common I1 zoning would be consistent with City policy discouraging split zoning and would put the driveway in the same zoning classification as the property for which it provides access. While the current proposed use of the property is parking, rezoning these parcels to I1 would facilitate eventual redevelopment that would meet the goal of providing industrial jobs as envisioned in the comprehensive plans of the City of Saint Paul.

4. The proposed parking and driveway access is compatible with other adjacent parking and industrial uses. Rezoning the access drive to I1 will eliminate split zoning on a parcel. Rezoning the Dairy Queen site to I1 would allow parking accessory to the motor vehicle salvage use. It would also allow auto sales as a permitted use. An alternative, rezoning the Dairy Queen site to VP Vehicular Parking, would only allow off-street parking and would preclude any other use of the site. The property would need an additional change of zoning before it could accommodate the type of redevelopment envisioned by the existing and proposed Comprehensive Plan.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning of 768 and 780 Rice St. (parcels 302922330130 and 302922330241) from B3 General Business to I1 Industrial.

**PETITION TO AMEND THE ZONING CODE**

Department of Planning and Economic Development
 Zoning Section
 1400 City Hall Annex
 25 West Fourth Street
 Saint Paul, MN 55102-1634
 (651) 266-6589

Zoning office use only
 File # 10-013379
 Fee: 1000.00
 Tentative Hearing Date:
2-11-10

APPLICANT

Property Owner DMB LLC
 Address 754 RICE ST
 City ST PAUL St. MN Zip 55117 Daytime Phone 651-206-4982
 Contact Person (if different) MARCUS WEGAND Phone 651-206-4982

PROPERTY LOCATION

Address / Location 780 RICE ST AND 768 RICE ST
 Legal Description LOTS 2, 3, 4 and 5 Block 1 of Greene Addition AND W. 75th St OF LOTS 18, 19, 20 & 21 TO CITY OF ST PAUL RAMSEY COUNTY Current Zoning B-3
 (attach additional sheet if necessary)

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statutes, DMB, LLC, owner of land proposed for rezoning, hereby petitions you to rezone the above described property from a B-3 zoning district to a T-1 zoning district, for the purpose of:

*Provide additional off street parking for current business at all Auto Parts 754 Rice St.
 May eventually be redeveloped*

(attach additional sheets if necessary)

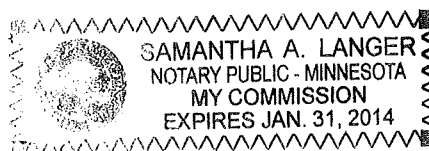
Attachments as required: ☐ Site Plan☐ Consent Petition☐ Affidavit

Subscribed and sworn to before me
 this 25th day
 of January, 2010.

By [Signature]
 Fee Owner of Property
 Title: CEO

1-25-10

Samantha A. Langer
 Notary Public





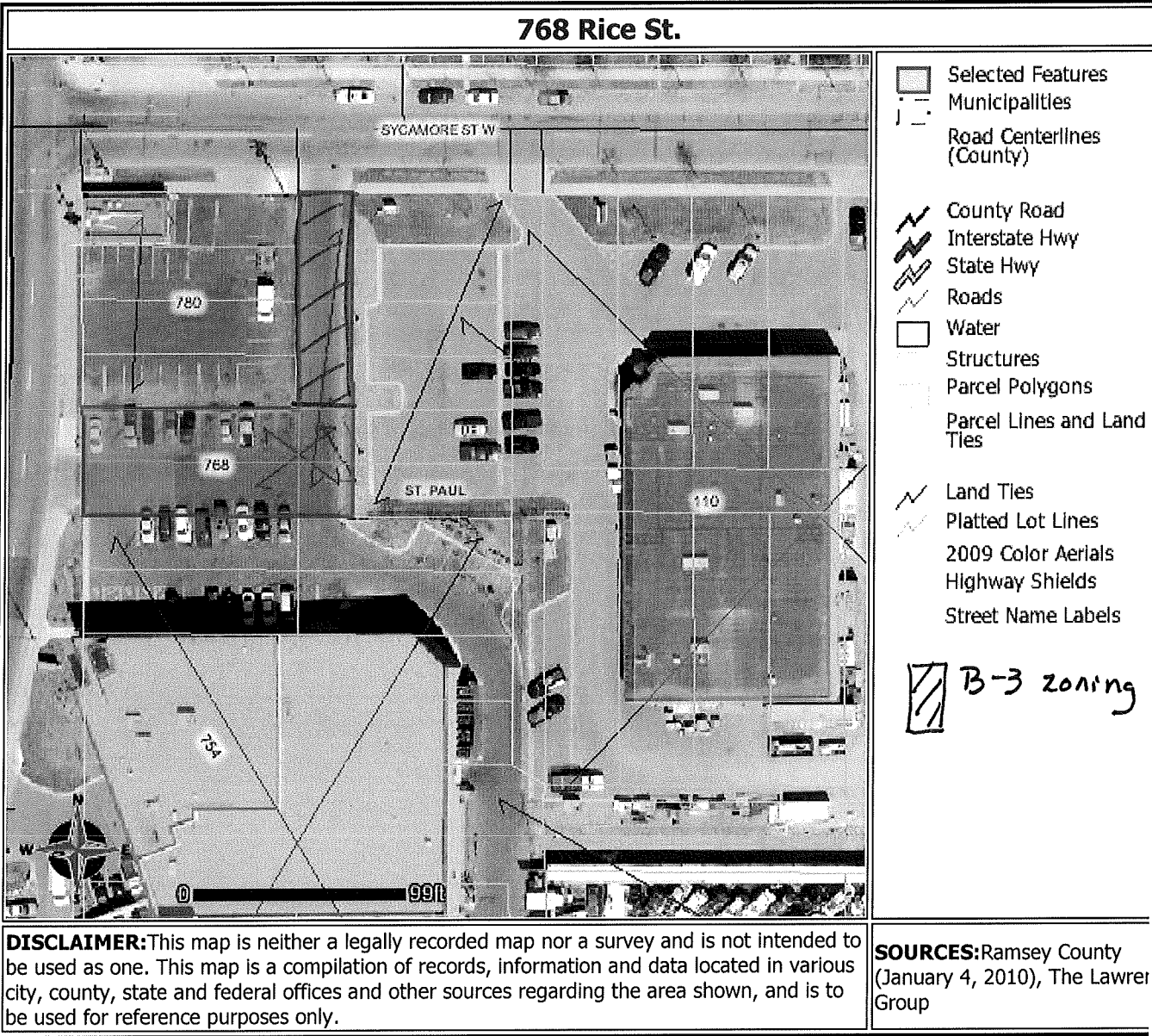
Aerial view of site looking east

ZF 10-013379

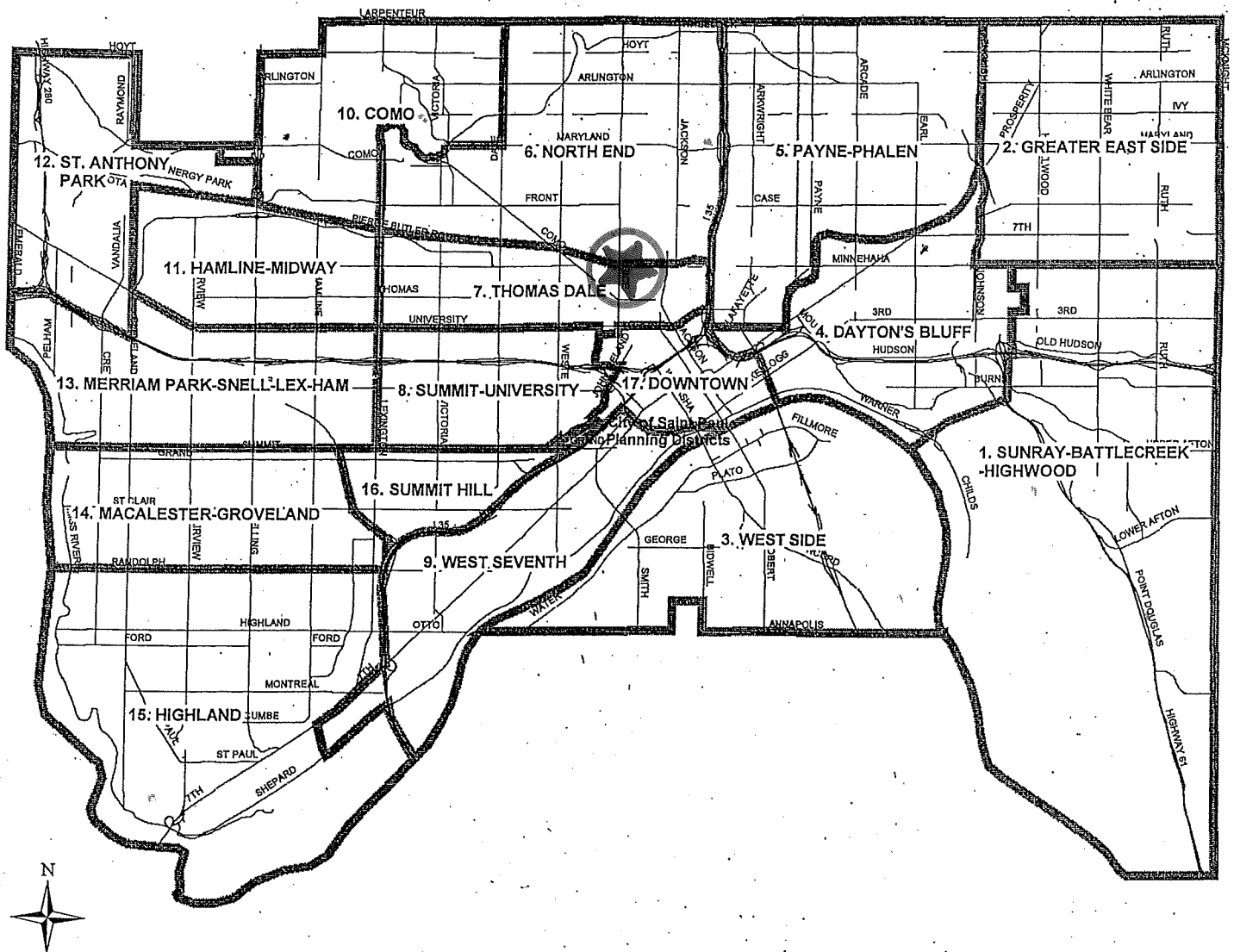


SITE LOOKING EAST

ZF #10-013379



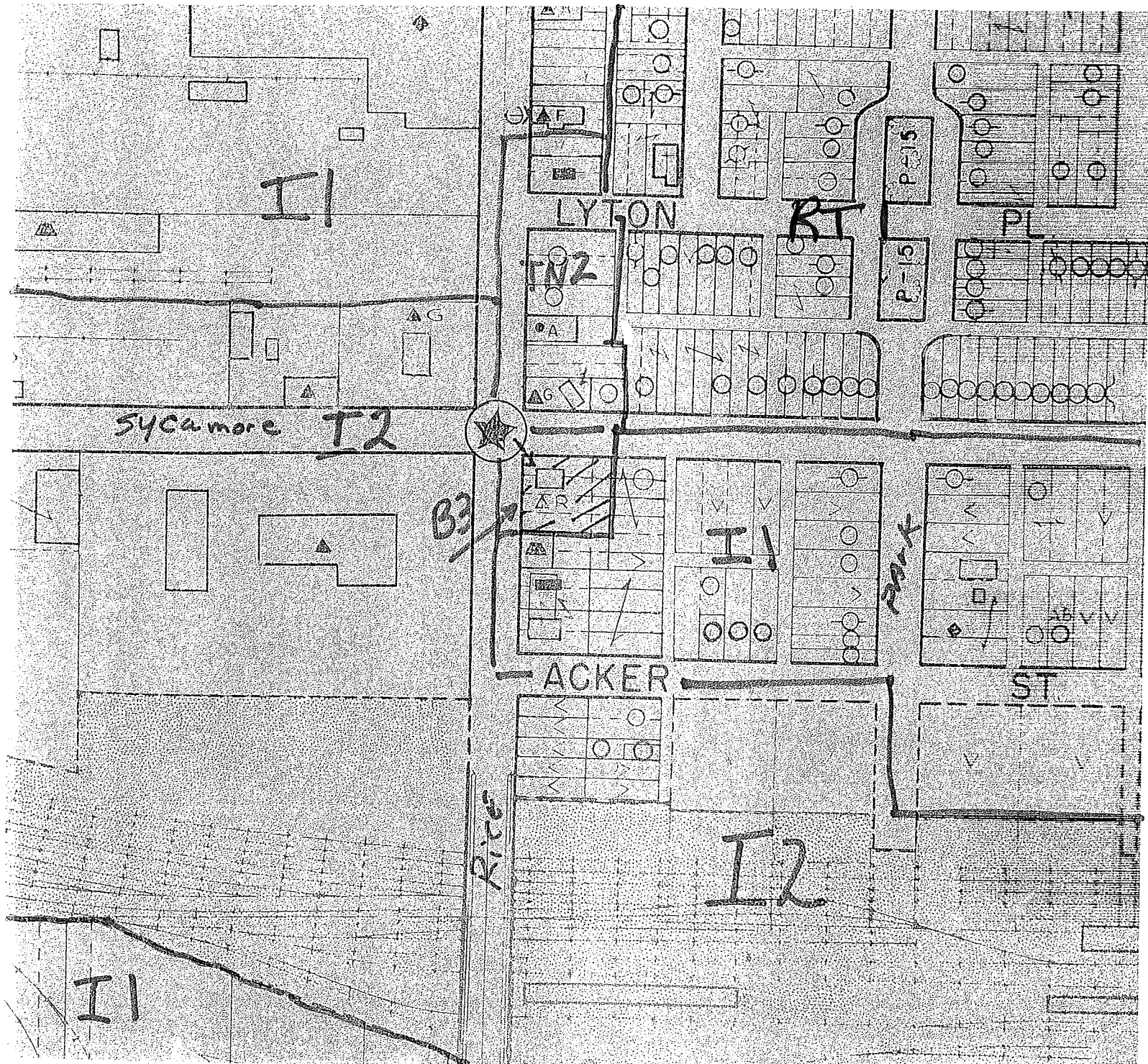
CITIZEN PARTICIPATION DISTRICTS



CITIZEN PARTICIPATION PLANNING DISTRICTS

1. SUNRAY-BATTLECREEK-HIGHWOOD
2. GREATER EAST SIDE
3. WEST SIDE
4. DAYTON'S BLUFF
5. PAYNE-PHALEN
6. NORTH END
7. THOMAS-DALE
8. SUMMIT-UNIVERSITY
9. WEST SEVENTH
10. COMO
11. HAMLINE-MIDWAY
12. ST. ANTHONY
13. MERRIAM PK.-LEXINGTON HAMLINE
14. GROVELAND-MACALESTER
15. HIGHLAND
16. SUMMIT HILL
17. DOWNTOWN

10-013379



APPLICANT DMB LLC
 PURPOSE Rezone B3 → I1
 FILE # 10-013379 DATE 1-26-10
 PLNG. DIST. 6 MAP # 12

SCALE 1" = 400'



LEGEND

zoning district boundary

subject property

one family
 two family
 multiple family

commercial
 industrial
 vacant

